



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Am

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/982,019 | 10/19/2001 | Byron Buck | 19469.00 | 7115 |

7590 05/18/2005

Byron Buck
641 11th Street, NE
Washington, DC 20002

| |
|----------|
| EXAMINER |
|----------|

GELAGAY, SHEWAYE

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2133

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

09/982,019

Applicant(s)

BUCK, BYRON

Examiner

Shewaye Gelagay

Art Unit

2133

All participants (applicant, applicant's representative, PTO personnel):

(1) Albert Decady.

(3) Thomas C. Schoeffler.

(2) Shewaye Gelagay.

(4) _____.

Date of Interview: 06 May 2005.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1, 6 and 23.

Identification of prior art discussed: O'Neil and Blumenau.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Claims 1, 6 and 23 as per proposed amendment discussed. Vendor signing a contract before accessing a member user profile. If a vendor has not signed a contract, offering the vendor to sign the contract before accessing a member user profile. (see attachment). References discussed (O'Neil and Blumenau). Examiner will reconsider the rejection upon filing of the amendment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

AG

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Docket No. 19469.00
Customer No. 37833

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE PATENT APPLICATION OF:

APPLICANT: BYRON BUCK CONF. NO: 7115
SERIAL NO.: 09/982,019 ART UNIT: 2133
FILED: OCTOBER 19, 2001 EXAMINER: SHEWAYE GELEGAY
FOR: NETWORK AND METHOD FOR FACILITATING
ON-LINE PRIVACY

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

NEW POWER OF ATTORNEY

As the sole named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute the above-identified application and transact all business in the Patent and Trademark Office connected therewith:

Practitioners associated with the Customer Number 37833

Direct all telephone calls to: Richard C. Litman
Reg. No. 30,868
(703) 486-1000

All previous Powers of Attorney(s) are hereby revoked. Direct all correspondence to the address associated with the above-mentioned Customer Number.

Date: 3/17/05

Respectfully submitted,

Byron Buck
641 11th St. NE
Washington, DC 20002
202-547-4921

LITMAN LAW
OFFICES, LTD.
P.O. BOX 19039
ARLINGTON, VA 22213
(703) 486-1000

Docket No. 19469.00
Customer No. 37833

EXAMINER'S COURTESY COPY - - DO NOT ENTER

IN THE PATENT APPLICATION OF:

APPLICANT: BYRON BUCK CONF. NO: 7115
SERIAL NO.: 09/982,019 ART UNIT: 2133
FILED: OCTOBER 19, 2001 EXAMINER: SHEWAYE GELEGAY
FOR: NETWORK AND METHOD FOR FACILITATING
ON-LINE PRIVACY

PROPOSED AMENDMENT

IN THE CLAIMS:

Listing of Claims:

- 1 1. (*Currently Amended*) A method of allowing a user to browse the Web without
- 2 reducing access and without privacy concerns, said method comprising:
- 3 enabling the user to create a personal profile;
- 4 accepting a cookie from Web sites of vendors that send cookies;
- 5 determining if a Web site of a vendor has executed a contract regarding
- 6 privacy of the personal profile of the user;
- 7 making available an electronically-created file to the vendor Web site, the
- 8 file containing or enabling the vendor Web site to access profile information about the
- 9 user if the vendor Web site has executed the contract regarding privacy of the personal
- 10 profile of the user;

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

11 removing or hiding the cookie if the vendor Web site has not executed the
12 contract regarding privacy of the personal profile of the user; and
13 forwarding an electronically-created file to the vendor Web site offering
14 the vendor Web site an opportunity to affirm the contract regarding privacy of the
15 personal profile of the user if the vendor Web site has not executed the contract.

1 2. (*Currently Amended*) The method of claim 1 wherein said enabling the user to
2 create a profile step includes providing Web-based forms or providing software that
3 queries the user.

1 3. (*Currently Amended*) The method of claim 1 wherein said making available
2 step is accomplished by forwarding the electronically-created file to the site.

1 4. (*Currently Amended*) The method of claim 1 wherein said making available
2 step is accomplished by placing the electronically-created file on a hard drive of the user.

1 5. (*Original*) The method of claim 1 further comprising:
2 creating pseudo-cookies for sites that do not send cookies;
3 keeping track of the cookies and the pseudo-cookies; and
4 causing a list of the cookies and the pseudo-cookies to be displayed at the
5 request of a user.

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

1 6. (*Currently Amended*) A method of acting as an intermediary between a user
2 and a vendor Web site, said method comprising:
3 enabling the user to create a personal profile;
4 accepting a cookie from vender Web sites that send cookies;
5 providing a contract addressing the privacy of the personal profile of the
6 user to the vendor Web site; and
7 causing the contract addressing the privacy of the personal profile of the
8 user to be executed by the vendor Web site.

1 7. (*Currently Amended*) The method of claim 6 further comprising:
2 providing data entry means to the user so that the user can provide a
3 personal profile; and
4 providing the personal profile to the vendor Web site if it has executed the
5 contract addressing the privacy of the personal profile of the user.

1 8. (*Currently Amended*) The method of claim 7 wherein said providing the
2 personal profile step includes providing an electronically-created file to the vendor Web
3 site.

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

1 9. (*Currently Amended*) The method of claim 8 wherein said providing an
2 electronically-created file step includes providing a unique user identifier code to the
3 vendor Web site, which the vendor Web site can use to obtain the personal profile of the
4 user.

1 10. (*Currently Amended*) The method of claim 7 wherein said providing the
2 personal profile to a vendor Web site step includes:
3 receiving a request from the vendor Web site for personal profile data meeting
4 certain requirements; and
5 providing information to the vendor Web site based on a conglomeration of data
6 from multiple profiles responsive to the request.

1 11. (*Currently Amended*) The method of claim 7 wherein said providing the
2 personal profile to a vendor Web site step includes providing a limited amount of data
3 based on user-defined criteria.

1 12. (*Currently Amended*) The method of claim 6 wherein said causing the contract
2 to be executed step includes sending a message to the vendor Web site if it has not
3 previously executed the contract addressing the privacy of the personal profile of the
4 user.

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

1 13. (*Currently Amended*) The method of claim 6 wherein said causing the contract
2 to be executed step includes:

3 removing or hiding a cookie sent by the vendor Web site if it has not
4 previously executed the contract addressing the privacy of the personal profile of the
5 user; and

6 sending a message to the vendor Web site informing it that the cookie will
7 not be available until it executes the contract addressing the privacy of the personal
8 profile of the user.

1 14. (*Currently Amended*) The method of claim 6 wherein said causing the contract
2 to be executed step includes negotiating with the vendor Web site at the outset of the
3 application of the method.

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

1 15. (*Currently Amended*) A computerized method of insuring the privacy of a user
2 and obtaining personal information about the user, comprising:
3 enabling the user to create a personal profile;
4 accepting a cookie from vender Web sites that send cookies;
5 executing a contract addressing the privacy of the personal profile of the
6 user to the vendor Web site; and
7 receiving the personal information about profile of the user in exchange
8 for executing the contract regarding the privacy of the personal profile of the user to be
9 executed by the vendor Web site.

1 16. (*Currently Amended*) The method of claim 15 wherein said receiving personal
2 information step includes:
3 sending a cookie to the user; and
4 receiving the personal ~~information~~ profile or a code to obtain the personal
5 ~~information~~ profile.

1 17. (*Currently Amended*) The method of claim 15 wherein said receiving the
2 personal ~~information~~ profile step includes:
3 sending a cookie to the user; and
4 retrieving the personal ~~information~~ profile or a code to obtain the personal
5 ~~information~~ profile from a hard drive of the user.

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

1 18. (*Currently Amended*) The method of claim 15 wherein said receiving personal
2 ~~information~~ profile step includes:
3 requesting information based on certain demographic and other criteria of
4 users; and
5 receiving data about the users.

1 19. (*Currently Amended*) A system for protecting the privacy of a user,
2 comprising:
3 software including:
4 means to accept a cookie if a vendor Web site sends a cookie;
5 means to determine if a vendor Web site has executed a contract
6 regarding privacy of a personal profile of the user;
7 means to make available an electronically-created file to vendor
8 Web sites having executed the contract ~~which~~ regarding privacy of the personal profile of
9 the user that contains or enables the vendor Web site to access the personal profile
10 ~~information~~ about the user;
11 means to remove or hide the cookie if the vendor Web site has not
12 executed the contract regarding privacy of the personal profile of the user; [[and]]
13 means to forward an electronically-created file to the vendor Web
14 site if the vendor Web site has not executed the contract ~~which~~ regarding privacy of the
15 personal profile of the user that contains a message informing the vendor Web site of the

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

16 disposition of its cookie and offers the vendor Web site a chance to execute the contract
17 regarding privacy of the personal profile of the user;

18 data-entry means which allows the user to enter personal data regarding
19 the personal profile; and

20 a user profile database for storing the data regarding the personal profile.

1 20. (*Currently Amended*) The system of claim 19 wherein said means to make
2 available is means to forward the electronically-created file to the vendor Web site.

1 21. (*Original*) The system of claim 19 wherein said means to make available is
2 means to place the electronically-created file on a hard drive of the user.

1 22. (*Currently Amended*) The system of claim 19 further comprising:
2 means for creating a pseudo-cookie if a vendor Web site does not send a
3 cookie;
4 means for keeping track of the cookies and the pseudo-cookies; and
5 means for causing a list of the cookies and the pseudo-cookies to be
6 displayed at the request of a user.

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

1 23. (Currently Amended) A computer software product having a computer
2 readable medium carrying a computer-executable set of instructions for protecting the
3 privacy of a user, the computer executable set of instructions comprising:
4 means to accept a cookie if a vendor Web site sends a cookie;
5 means to determine if a vendor Web site has executed a contract
6 regarding privacy of a personal profile of the user;
7 means to make available an electronically-created file to vendor
8 Web sites having executed the contract ~~which~~ regarding privacy of the personal profile of
9 the user that contains or enables the vendor Web site to access the personal profile
10 ~~information~~ about the user;
11 means to remove or hide the cookie if the vendor Web site has not
12 executed the contract regarding privacy of the personal profile of the user; [[and]]
13 means to forward an electronically-created file to the vendor Web
14 site if the vendor Web site has not executed the contract ~~which~~ regarding privacy of the
15 personal profile of the user that contains a message informing the vendor Web site of the
16 disposition of its cookie, and to offer the vendor Web site a chance to execute the
17 contract regarding privacy of the personal profile of the user.

1 24. (Original) The product of claim 23 further including means for allowing a
2 user to input personal data.

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

1 25. (*Original*) The product of claim 24 further including means for a vendor to
2 make queries as to user input.

1 26. (*Original*) The product of claim 24 wherein said means for allowing a user to
2 input is located on one of a personal computer of the user and a centralized site.

1 27. (*Original*) The product of claim 23 wherein said means to accept a cookie is
2 located on one of a personal computer of the user and a centralized site.

1 28. (*Original*) The product of claim 23 further including means for allowing a
2 vendor to input information about the vendor or its products.

1 29. (*Original*) The product of claim 28 further including means for a user to make
2 queries as to vendor input.

1 30. (*Currently Amended*) The product of claim 28 wherein said means for
2 allowing a vendor to input is located on one of the Web site of the vendor and a
3 centralized Web site.

1 31. (*Original*) The product of claim 23 wherein said means to make available is
2 means to forward the electronically-created file to the site.

Serial No.: 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

1 32. (*Original*) The product of claim 23 wherein said means to make available is
2 means to place the electronically-created file on a hard drive of the user.

1 33. (*Original*) The product of claim 23 further comprising:
2 means for creating a pseudo-cookie if a site does not send a cookie;
3 means for keeping track of the cookies and the pseudo-cookies; and
4 means for causing a list of the cookies and the pseudo-cookies to be
5 displayed at the request of a user.

Serial No. : 09/982,019
Art Unit: 2133

Docket No. 19469.00
Customer No. 37833

REMARKS

This proposed amendment is for review by the Examiner prior to the personal interview to be scheduled.